



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 19, 1998

Mr. Miles K. Risley
City Attorney
City of Victoria
Legal Department
P.O. Box 1758
Victoria, Texas 77902-1758

OR98-1507

Dear Mr. Risley:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 116701.

The City of Victoria (the "city") received a request for a particular offense report pertaining to an alleged assault by contact by a juvenile. You contend that the requested information is excepted from disclosure under section 552.101 of the Government Code in conjunction with section 58.007(c) of the Family Code, which provides in pertinent part:

(c) Except as provided by Subsection (d), law enforcement records and files concerning a child may not be disclosed to the public and shall be:

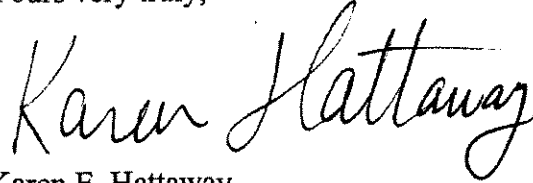
- (1) kept separate from adult files and records; and
- (2) maintained on a local basis only and not sent to a central state or federal depository, except as provided by Subchapter B.

Because the requested offense report comes within the ambit of section 58.007(c), we conclude that the report must be withheld in its entirety pursuant to section 552.101 of the Government Code.¹

¹Section 552.101 of the Government Code protects "information considered to be confidential by law, either constitutional, statutory, or by judicial decision."

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Karen Hattaway". The signature is fluid and cursive, with the first name "Karen" and last name "Hattaway" clearly distinguishable.

Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/RWP/mjc

Ref.: ID# 116701

Enclosures: Submitted documents

cc: Mr. Mark A. Belknap
1906 Glendale
Victoria, Texas 77901
(w/o enclosures)